

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

SCOTTSDALE INSURANCE  
COMPANY,

Plaintiff,

vs.

ROYCE PAXSON, JOLENE  
PAXSON, and FARMERS MUTUAL  
INSURANCE COMPANY,

Defendants.

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FARMERS UNION MUTUAL  
INSURANCE COMPANY,

Third-Party  
Plaintiff,

vs.

PAXSON BROTHERS, LLC d/b/a  
PAXSON FLOORING,

Third-Party  
Defendants,

SARINA VENABLE as Guardian of  
KYLER VENABLE, a Minor,

Intervenors.

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CV 23-52-BLG-SPW

**AMENDED ORDER  
ADOPTING FINDINGS AND  
RECOMMENDATIONS**

The United States Magistrate Judge Timothy Cavan filed Findings and  
Recommendations on Plaintiff Scottsdale Insurance Company's Unopposed

Motion for Summary Judgment (Doc. 21). (Doc. 41). Judge Cavan recommended the Court grant Scottsdale's motion. (*Id.* at 2).

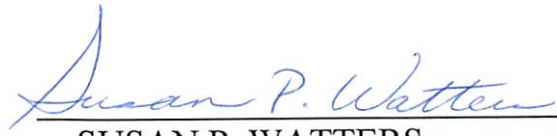
Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 41) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiff Scottsdale Insurance Company's Unopposed Motion for Summary Judgment (Doc. 21) is GRANTED.

The Clerk of Court is directed to enter judgment in favor of Plaintiff Scottsdale Insurance Company.

DATED this 15<sup>th</sup> day of November, 2023.

  
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SUSAN P. WATTERS  
United States District Judge